

From: Kurt Freund
To: Microsoft ATR
Date: 1/26/02 6:46pm
Subject: Microsoft Settlement

To Whom It May Concern:

It is incomprehensible that the Justice Department caved in to Microsoft with a toothless settlement that will do nothing for the consumer. I can only assume that Microsoft's political contributions and lobbying had much to do with it. The company has again and again shown that it has no respect for the law, the courts, its competitors, or its customers. Judge Jackson might have made inappropriate comments based on his (quite understandable) annoyance at Microsoft, but his findings of fact are clearly correct, which was affirmed by the U.S. Court of Appeals.

I would like to comment on something that has been mentioned less often than other aspects of the case ? Microsoft's domination of productivity software with its Office suite, which contains Word (word processor), Excel (spreadsheet), Outlook (email client), PowerPoint (business presentations), Publisher (publishing), Internet Explorer (of course), and a few other tidbits. Suppose you like one of those products, such as Word. YOU CANNOT BUY IT! The only way to get any of the programs (except IE) is to buy the entire suite. And if you buy the suite to get Word, you also have the other programs, whether you like them or not. Considering the price of Office (much higher than the cost of just the word processor would be), you are unlikely to buy another spreadsheet or database program. Faced with that, how many companies are willing to invest in creating a quality competing version of any one of the suite products? Not many, as you would quickly find by doing some shopping.

Microsoft can indulge in that kind of extortion because of its monopoly of operating systems and its predatory business practices. If another company did produce a decent word processor that challenged Word, it is not hard to imagine that Word would soon be available as a separate product and at a price that no other company could match.

Microsoft has stifled innovation and produced mediocre, bug-ridden, defective software for many years, and people continue to buy it because there are no reasonable alternatives. I strongly appeal to the court to reject the Justice Department's proposed settlement and impose restrictions and penalties on Microsoft that are commensurate with their offenses and that will help to create true competition in the software market.

Thank you.

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